

1 JOHN S. LEONARDO
United States Attorney
District of Arizona

2 LISA E. JENNIS
Assistant U.S. Attorney
Two Renaissance Square
3 40 N. Central Ave., Suite 1200
Phoenix, Arizona 85004
4 Telephone: 602-514-7500
Email: lisa.jennis@usdoj.gov

5
6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

8 United States of America,
9
Plaintiff,

10 vs.

11 Jon Ritzheimer,
12
Defendant.

Case No. 16-6019MJ

**UNITED STATES' MEMORANDUM IN
SUPPORT OF PRETRIAL DETENTION**

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15 **INTRODUCTION AND SUMMARY OF ARGUMENT**

16 The United States of America, by and through undersigned counsel, hereby files
17 this memorandum in support of pretrial detention of defendant Jon RITZHEIMER. For
18 the reasons set forth below and based on the information that will be presented at the
19 February 2, 2016, detention hearing, this Court should order that defendant
20 RITZHEIMER be detained pending trial.
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22 On January 26, 2016, defendant was charged by complaint out of the District of
23 Oregon along with seven co-conspirators, with conspiring to impede officers of the
24 United States from discharging their official duties through the use of force, intimidation,
25 or threats, in violation of Title 18, United States Code, Section 372. See Complaint Case
26 Number 16-MJ-00004, United States District Court, District of Oregon. Another
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1 complaint was filed the next day against an additional three co-conspirators for the same
2 conduct. See Complaint Case Number 16-MJ-00006, United States District Court,
3 District of Oregon. The circumstances of this crime, standing alone, compel the
4 conclusion that RITZHEIMER is a grave danger to the community and a flight risk. The
5 underlying facts of this conspiracy pose unique issues that weigh in favor of detention
6 and by its very nature, this offense demonstrates a remarkable inability on the part of
7 defendant and his co-conspirators to follow the law, and thus comply with the terms of
8 court-ordered supervision. In this case, the defendant and his co-conspirators deliberately
9 and publicly disregarded repeated orders, requests, and pressure to obey the law over a
10 sustained period of time. They did so in manner that endangered, and continues to
11 endanger, the residents of Harney County, Oregon and law enforcement. Critically, the
12 alleged crime was not born out of impulse—it was deliberate and designed to undermine
13 authority at every stage. As a result, the defendant appears before this Court having
14 already demonstrated that no condition or combination of conditions could reasonably
15 assure his appearance or the safety of the community.

20 At the hearing, the United States will rely on a proffer (contained below) detailing
21 the conspiracy, and on the history and characteristics of defendant RITZHEIMER. *United*
22 *States v. Winsor*, 785 F.2d 755, 756 (9th Cir. 1986) (“[T]he government may proceed in a
23 detention hearing by proffer or hearsay.”). The United States also may present testimony
24 at the hearing, if the Court wishes to hear testimony from a Special Agent with the
25 Federal Bureau of Investigation (FBI).
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FACTUAL AND PROCEDURAL HISTORY

Defendant RITZHEIMER's ten co-conspirators Ammon Bundy, Joseph O'Shaughnessy, Ryan Payne, Ryan Bundy, Brian Cavalier, Shawna Cox, Peter Santilli, Jason Patrick, Duane Leo Ehmer and Dylan Anderson were arrested on January 26 and 27, 2016, in the District of Oregon. RITZHEIMER traveled to Oregon in December 2015 to participate in the protest rally in Burns, Oregon in support of two ranchers, Dwight and Steven Hammond, who were convicted of federal arson. Following the protest, on January 2, 2016, RITZHEIMER along with many of his co-conspirators, unlawfully entered and occupied the locked buildings and grounds of Malheur National Wildlife Preserve (MNWP). RITZHEIMER, along with the other individuals, tactically cleared the grounds and buildings while carrying loaded rifles. RITZHEIMER remained in Oregon until January 25, 2016, when he left to visit his family in Peoria, AZ. After the arrests of his co-defendants on January 26, 2016, and the death of Robert LaVoi Finicum, who was killed during his efforts to avoid apprehension, RITZHEIMER was contacted by the FBI and requested that he self-surrender. After a couple of hours and numerous telephone calls, the FBI successfully negotiated with RITZHEIMER to turn himself in at the Peoria Police Department.

On January 29, 2016, detention hearings were for held for defendant's co-conspirators in the District of Oregon before the Honorable Judge Stacie F. Beckerman who detained: Ammon Bundy, Ryan Bundy, Ryan Payne, Peter Santilli, Jason Patrick and Dylan Anderson. Joseph O'Shaughnessy's order of release was appealed by the government and it will be heard by a U.S. District Court Judge on February 2, 2016. The

1 parties agreed to release Shawna Cox pending conclusion of the occupation which was
2 later amended to allow for release on February 1, 2016. Due to recently appointed
3 counsel, Brian Cavalier and Duane Leo Ehmer's detention hearings are currently set for
4 February 4, 2016.
5

6 **SUMMARY OF FACTS CONTAINED IN THE COMPLAINT**

7 The 31 page complaint charges defendant with Conspiracy to Impede Officers of
8 the United States from discharging their official duties though the use of force,
9 intimidation and threats. The facts of which are summarized below:
10

11 On January 2, 2016, and continuing through January 26, 2016, the co-conspirators
12 and others conspired to impede by force, intimidation, or threat, officers of the United
13 States from discharging their duties in the Malheur National Wildlife Refuge (MNWR) in
14 Harney County, Oregon, in violation of Title 18, United States Code, Section 372. The
15 co-conspirators conducted an armed occupation of the MNWR, a unit of the National
16 Wildlife Refuge System which is federal property managed by the United States Fish and
17 Wildlife Service (USFWS).
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20 On June 6, 2012, Dwight and Steven Hammond were convicted of two counts of
21 arson by a jury in the District of Oregon. They were originally sentenced on October 30,
22 2012. Dwight Hammond was sentenced to serve three months in prison, and Steven
23 Hammond was sentenced to serve twelve months. On February 7, 2014, the Ninth
24 Circuit Court of Appeals overturned the District Court's sentence. On October 7, 2015,
25 Dwight and Steven Hammond were resentenced to serve a mandatory, five-year term of
26 imprisonment. On January 4, 2016, the Hammonds reported to a Federal Correctional
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1 Institute in California to serve the remainder of their sentences. Prior to surrendering to
2 serve their sentences, the Hammonds, through their attorney, continued to distance
3 themselves from the would-be occupiers.

4
5 On January 4, 2016, co-defendant Ammon Bundy addressed the media and stated
6 that he named his group of protesters the “Citizens for Constitutional Freedom” (CCF),
7 and they were acting in support of the Hammonds. Bundy told a national morning news
8 show that members of CCF were armed because “[w]e are serious about being here.
9 We’re serious about defending our rights, and we are serious about getting some things
10 straightened out.” When asked if he anticipated it would lead to violence, Bundy
11 responded, “Only if the government wants to take it there.”
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14 In a video posted on an Internet website titled “Citizens for Constitutional
15 Freedom News Conference” posted on January 4, 2016, Bundy said their purpose is to
16 restore and defend the Constitution, and they have spent two months petitioning the state
17 and county representatives to stand for the Hammonds against the so-called
18 “unconstitutional actions.” Bundy said, “We feel that we have exhausted all prudent
19 measures and have been ignored. And it has been left to us to decide whether we allow
20 these things to go on or whether we make a stand.” On January 4, 2016, Harney County
21 Sheriff Dave Ward held a press conference and informed the armed occupiers of the
22 MNWR that the Hammonds had peacefully surrendered themselves to complete their
23 federal sentences and informed the armed occupiers that “it was time to leave.”
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27 On October 5, 2015, prior to the occupation of MNWR, Bundy visited Harney
28 County Sheriff Dave Ward in Harney County. During the visit, Bundy and Ryan Payne

1 told Sheriff Ward that he needed to protect the Hammonds from going back to prison.
2 Payne and Bundy informed Sheriff Ward that if the Hammonds spent one more day in
3 jail there would be “extreme civil unrest.” On November 12, 2015, Bundy publicly
4 posted a letter from the Bundy family to Harney County Sheriff Dave Ward. The letter
5 was posted online at <http://bundy ranch.blogspot.com> (Attachment 1) and was still
6 publicly viewable as of January 4, 2016. In summary, the Bundy family claims that
7 federal employees are abusing their positions within the federal government to punish the
8 Hammond family. Several additional blog posts, made on November 12, 2015, and later,
9 further stated that it was the Bundy family’s position that the Hammond family had been
10 illegally arrested.
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13 On December 18, 2015, a citizen (hereafter Citizen) of Harney County, was
14 shopping at the Safeway grocery store in Burns, Oregon. Citizen was wearing a BLM
15 shirt. Citizen was confronted by two men, one whom she identified as defendant
16 RITZHEIMER. Citizen reported to law enforcement that she heard yelling, and when
17 she turned around, the second individual shouted “you’re BLM, you’re BLM” at her.
18 That person further stated to Citizen that they know what car she drives and would follow
19 her home. The second individual also stated he was going to burn Citizen’s house down.
20 RITZHEIMER and the second individual left the area in a black pick-up truck with black
21 canopy and no visible license plate. Since the incident, Citizen has observed a similar
22 vehicle outside her residence. Citizen was unable to identify the driver of the vehicle
23 when she later saw it. A second vehicle, described as a white truck with a pink license
24 plate and a big rebel flag sticker on the back window, aggressively tailgated Citizen,
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1 flashing lights and driving erratically. Citizen also saw the black pick-up truck outside of
2 her place of employment early in the morning hours of Christmas Day.

3 On December 26, 2015, a video posted to an Internet website channel indicated
4 the video is a “call out” to all “patriots” to meet at the Safeway parking lot in Burns,
5 Oregon, on January 2, 2016, for the protest. A screenshot from the video, attached
6 below, shows RITZHEIMER on the far right. In the video each individual identifies
7 himself by name. <https://www.youtube.com/watch?v=kGuizh7evHc> (Attachment 2)
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10 On December 31, 2015, a video posted to an Internet website showed
11 RITZHEIMER in a car saying “we the people need to take a stand,” “we need real men
12 and women here to take a stand” and that he has “had to do a lot of soul searching” and
13 he is “one hundred percent willing to lay down my life, to fight against tyranny in this
14 country.” <https://www.youtube.com/watch?v=sbGdMKpHDDE> (Attachment 3)
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1 On January 2, 2016, several hundred unidentified individuals participated in a
2 protest in Burns, Oregon, related to the resentencing of Steven and Dwight Hammond.
3 Following the protest, A. Bundy, RITZHEIMER, Payne, R. Bundy, Cavalier, and
4 Finicum, among others, entered the Malheur National Wildlife Refuge, blocked the
5 entrance to the Refuge, and began their armed occupation of several buildings within the
6 MNWR. The MNWR and all buildings located thereon are federal property and
7 facilities. The armed occupation of the MNWR has been continuous and ongoing since
8 January 2, 2016. The MNWR is located in Harney County, District of Oregon.
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11 The MNWR is staffed by employees of the United States Fish and Wildlife
12 Services. As a result of the armed occupation of the MNWR by the defendants and
13 others, which began on or about January 2, 2016, and continuing to the present,
14 employees of the USFWS who work at the MNWR have been prevented from reporting
15 to work because of threats of violence posed by the defendants and others occupying the
16 property. According to a Special Agent with the Bureau of Land Management (BLM),
17 on January 2, 2016, the BLM learned, by watching a live online video stream, that
18 numerous individuals including RITZHEIMER left the rally that was in support of the
19 Hammonds in Burns, Oregon, and travelled to the Malheur National Wildlife Refuge to
20 take it over. BLM was notified later that day by a Harney County Sheriff's Officer that a
21 source informed him that the group controlled the Refuge and had explosives, night
22 vision goggles, and weapons and that if they didn't get the fight they wanted out there
23 they would bring the fight to town.
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1 Due to the presence of armed individuals occupying the Refuge and also learning
2 that some of their associates were still in the Burns area, the BLM made the decision to
3 close the Burns District Office, located at 28910 Highway 20 West, Hines, Oregon,
4 97738, for the upcoming work week. This BLM action was taken out of concern for the
5 safety of the approximate 80 employees who work there.
6

7 On January 3, 2016, a video posted on an Internet website by “The Conspiracy
8 Scope” showed A. Bundy and two others at the MNWR. The location of this video at the
9 MNWR was confirmed by a Federal Wildlife Officer of the U.S. Fish and Wildlife
10 Service. The Federal Wildlife Officer confirmed that they were at the main entrance to
11 the MNWR. One individual was in the background holding a rifle. A. Bundy stated that
12 we have “taken over the Malheur National Wildlife Refuge” and that the MNWR will
13 become a “base place for patriots from all over the country to come and be housed.” A.
14 Bundy continues by saying that “we’re planning on staying here for several years.” A.
15 Bundy also says in the same video, “We are calling people to come out here and stand”
16 and “We need you to bring your arms and we need you to come to the Malheur National
17 Wildlife Refuge.” One individual is also in the video saying that he agreed with A.
18 Bundy and that they need people to “bring your arms.”
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23 <https://www.youtube.com/watch?v=Hb9cRoHWIVg> (Attachment 4)

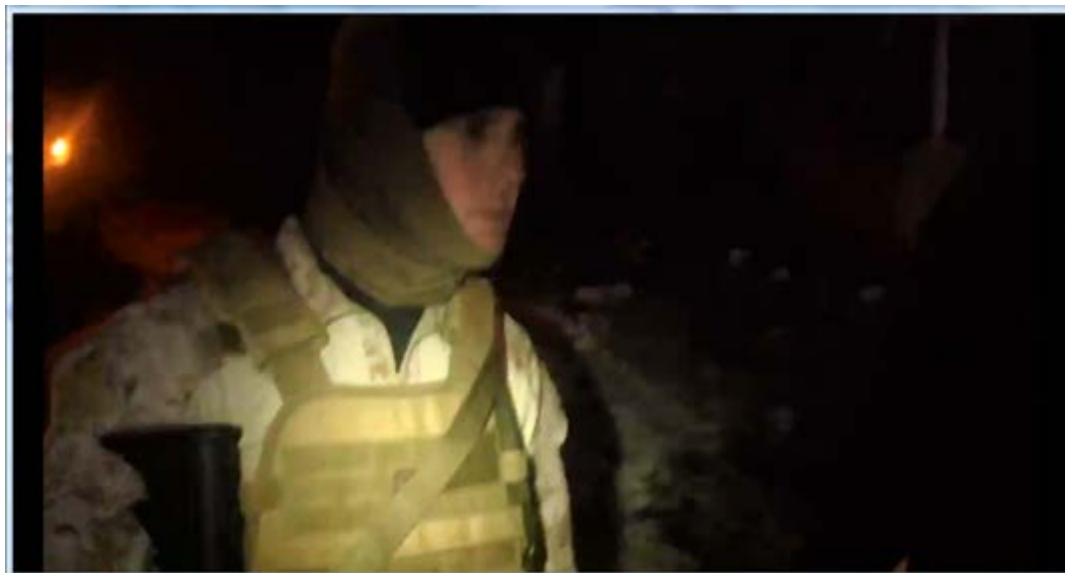
24 RITZHEIMER appeared in a video titled “Militants take to social media to recruit
25 supports,” posted on January 4, 2016, to an Internet website and stated, “We are in my
26 truck parked outside the Refuge,” “We need you to get here and stand with us,” “whether
27 you are armed or unarmed,” and “Please get up here to help us.” Another person also
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1 appeared in the video stating, “We need your help guys.” RITZHEIMER also posted a
 2 video where he stated, “I’ve had to do a lot of soul searching up here, and I am with good
 3 people who also have had to do a lot of soul searching, some who’ve done this soul
 4 searching for years, and I am one hundred percent willing to lay my life down, to fight
 5 against tyranny in this country.” <https://www.youtube.com/watch?v=qeqhtTMp9dc>
 6
 7 (Attachment 5) A photo posted on an Internet news website shows RITZHEIMER
 8 adjusting a sign outside the MNWR on January 5, 2016, shown below. A Federal
 9 Wildlife Officer with the U.S. Fish and Wildlife Service has confirmed the location of the
 10 signs on the MNWR close to the main entrance.
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26 On January 5, 2016, in a video posted to an Internet website, RITZHEIMER stated
 27 “last word we got is they’re headed out here” in reference to the belief by armed
 28 occupiers that they were going to be raided by the federal government. RITZHEIMER

1 further stated, “We got word that they’re coming out here, uh so we are trying to plan and
2 maintain a defensive posture” and “Right now underneath that tarp right there—Lavo
3 Finicum is sitting underneath that tarp, and he is not going to let them come through.
4 We’re maintaining a defensive posture back here.” In the still shot below,
5 RITZHEIMER is carrying what appears to be an AR-15-style rifle with a sling. In the
6 following two still shots are additional photographs of RITZHEIMER conducting an
7 armed patrol at the MNWR.
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http://photos.oregonlive.com/4450/gallery/oregon_militia_standoff_near_b_1/index.html#/82



Oregon militia standoff

A member of the group occupying the Malheur National Wildlife Refuge headquarters stands guard Tuesday, Jan. 5, 2016, near Burns, Ore. Ammon Bundy, the leader of a small, armed group that is occupying a remote national wildlife preserve in Oregon said Tuesday that they will go home when a plan is in place to turn over management of federal lands to locals. (AP photo/Rick Bowmer)

Beth Nakamura | The Oregonian/OregonLive

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http://photos.oregonlive.com/4450/gallery/oregon_militia_standoff_near_b_1/index.html#/92



Oregon militia standoff

A member of the group occupying the Malheur National Wildlife Refuge headquarters stands guard Tuesday, Jan. 5, 2016, near Burns, Ore. Ammon Bundy, the leader of a small, armed group that is occupying a remote national wildlife preserve in Oregon said Tuesday that they will go home when a plan is in place to turn over management of federal lands to locals. (AP photo/Rick Bowmer)

Beth Nakamura | The Oregonian/OregonLive

A video entitled “#aslongasittakes” was live-streamed starting January 5, 2016, continuing into January 6, 2016, and posted to an Internet website channel. The video is filmed at or just outside the MNWR. The location of the video outside the MNWR was confirmed by a Federal Wildlife Officer. In the video, an armed occupier was interviewed and stated, “We have people here that are standing up for the constitution,”

1 “We need every patriot in this country to come out here and and support the message,”
2 “You guys need to be out here to show your support you need to stop the bickering,” and
3 “If you want to lock arms in front of this reserve and make sure that these federal agents
4 and this corrupt government doesn’t come through those gates, you can do that. Or if you
5 want to go on in and do what you gotta do then go on and do that, everybody has a place
6 in this and everybody need to be here.” The person further stated in the interview, “I’m
7 right now in the process of trying to set up a constitutional security protection force to
8 make sure that these federal agents and these law enforcement don’t just come in here
9 like cowboys, that’s we have to prevent that um.”

12 ARGUMENT

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14 Under the Bail Reform Act, a judicial officer shall detain a defendant pending trial
15 if “no condition or combination of conditions will reasonably assure the appearance of
16 the person as required and the safety of any other person and the community.” 18 U.S.C.
17 § 3142(e). Detention is appropriate where a defendant is either a flight risk or a danger to
18 the community and it is not necessary to prove both. *See United States v. Motamedi*, 767
19 F.2d 1403, 1406 (9th Cir.1985); *United States v. Kouyoumdijan*, 601 F. Supp. 1506,
20 1508-10 (C.D. Cal 1985). A finding that a defendant is a danger to the community must
21 be supported by clear and convincing evidence. A finding that a defendant is a flight risk
22 need only be supported by a preponderance of the evidence. *See Motamedi*, 767 F.2d at
23 1406.

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26 In determining whether pretrial detention is appropriate, the court should consider
27 four factors under 18 U.S.C. § 3142(g): (1) the nature and circumstances of the offense
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1 charged; (2) the weight of the evidence against defendant; (3) the history and
 2 characteristics of the defendant; and, (4) the nature and seriousness of the danger posed
 3 by defendant's release. *United States v. Townsend*, 897 F.2d 989, 994 (9th Cir. 1990); 18
 4 U.S.C. § 3142(g).
 5

6 **A. Statutory Factors Requiring Detention**

7 Title 18, United States Code, Section 3142(g) sets forth factors for the court to
 8 consider in determining whether there are conditions of release that will reasonably
 9 assure the appearance of the person as required and the safety of any other person and the
 10 community. The following factors apply to defendant RITZHEIMER:
 11

12 **1. Nature and Circumstances of the Offense**

13 The charged offense involves the ongoing armed occupation of the Malheur
 14 National Wildlife Refuge (MNWR). Title 18, United States Code, Section 372 is a crime
 15 of violence for purposes of the Bail Reform Act because it "has as an element of the
 16 offense the use, attempted use, or threatened use of physical force against the person or
 17 property of another" and it is a felony that, "by its nature, involves a substantial risk that
 18 physical force against the person or property of another may be used in the course of
 19 committing the offense." 18 U.S.C. § 3156(a)(4)(A).
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23 **2. Weight of the Evidence**

24 There is overwhelming evidence of defendant's guilt, much of it documented by
 25 social media and defendant's own statements.
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3. History and Characteristics of the Defendants

As set forth below, the defendant has no ties to Oregon. He traveled to Oregon in December 2015 to join the charged conspiracy where he remained until returning to Arizona on approximately January 25, 2016, to visit his family. RITZHEIMER has long been associated with armed conflicts with the federal government and has repeatedly rejected the authority of the federal government, making him unsuitable for court-ordered supervision. He has demonstrated a willingness to engage in armed conflict throughout the United States in order to address what he describes as violations of the Constitution.

RITZHEIMER has been an active presence on social media supporting both the militia movement and his disdain for the Islam religion. RITZHEIMER organized multiple protests towards the Islamic Cultural Center of Phoenix (ICCP) in 2015 and promoted anti-Islamic sentiment in the Phoenix area. At those rallies, he was surrounded by men in full camouflage and body armor armed with assault rifles including members of the militia "Arizona Special Operations Group" led by Robert Deatherage who, along with his co-defendants Parris Frazier and Erik Foster, was detained by this court last summer in CR-15-00924-PHX-GMS. RITZHEIMER has been accepted by like-minded individuals, engaged in militia protests, and has since become an advisor for Operation Mutual defense (OMD), a militia group. Below is a photograph taken on May 29, 2015, during defendant's second protest which depicts an armed RITZHEIMER, wearing an anti-Islamic t-shirt sold on his website Rogue Infidel (see below), with one of his "body guards" identified as Robert Deatherage.



On September 21, 2015, in response to the United States' proposed nuclear agreement with Iran, an open message written by RITZHEIMER was posted on Facebook in which he declared his intent to travel to Michigan to arrest Senator Debbie Stabenow. RITZHEIMER stated "[w]e are planning on arresting Senator Debbie Stabenow, who voted yes to the Iran Nuke Deal. She will be arrested for treason under Article 3 Section 3 of the Constitution. We have chosen her as our first target due to our strong ties with the Michigan State Militia and their lax guns laws that will allow us to operate in a manner necessary for an operation like this. After we successfully detain her we will continue to move across the country and arrest everyone involved with the Iran Nuke Deal. Even the President who brokered this deal. . . . I am fully prepared for whatever may come my way. Even if that means death. Because it will at least be for a noble cause." (Attachment 6)

1 On September 24, 2015, posted a video to his facebook calling for an indictment
2 of those who supported the agreement with Iran and stated he was “armed and ready to
3 go, to uphold the law.” (Attachment 7) On September 28, 2015, RITZHEIMER also
4 appeared telephonically on the Pete Santilli show to discuss his intentions to arrest those
5 involved with the nuclear agreement. <https://www.youtube.com/watch?v=g9TOzWfUf8Q>
6 (Attachment 8)
7

8 On December 2015, RITZHEIMER posted two videos to his facebook denouncing
9 as unconstitutional the arrest of a fellow Marine, Schuyler Barbeau for possessing an
10 unregistered firearm. See *United States v. Schuyler Payaite Barbeau*, CR-15-00391-RAJ,
11 United States District Court for the Western District of Washington in Seattle. He called
12 for a nationwide response to this illegal arrest and asked that Marines be ready for
13 movement to Washington where Barbeau was being held captive without bail.
14 (Attachments 9 & 10)
15

16 Not mentioned in the PTS report, RITZHEIMER faces a potentially lengthy prison
17 sentence if convicted of the current charge which is punishable by a statutory maximum
18 sentence of six years. Defendant has a strong incentive to flee due to the likelihood of a
19 significant prison sentence if he is convicted. *United States v. Townsend*, 897 F.2d at 995
20 ([F]acing the much graver penalties possible under the present indictment, the defendants
21 have an even greater incentive to consider flight.”)
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23 Also, not disclosed in the PTS, is defendant’s income earned from his website
24 www.rogueinfidel.com. Rogue Infidel’s website claims it is about “[d]efending the
25 constitution against a domestic enemy. Doing what our government won’t do while
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1 remaining rogue.” This site sells anti-Islam items which can still be seen on its facebook
2 page. However, the website currently asks for donations for RITZHEIMER’s legal fees
3 and money to support his family.

4 RITZHEIMER is willing to die over “his cause” and specifically addresses his
5 belief that the Hammonds have been labeled terrorists in a video posted on December 31,
6 2015. Not only does this video call for unification against the government but it is also a
7 goodbye message to his family stating in part, “Your daddy swore an oath to protect and
8 defend the Constitution against all enemies foreign and domestic.” He continues to
9 explain that the oath does not mean he will only defend the Constitution when it is
10 convenient or when that defense does not include death. In that video, RITZHEIMER
11 further stated, “I am 100% willing to lay my life down to fight against tyranny in this
12 country.” He concludes by telling his family that he loves them and that no matter what,
13 “just know that I stood for something, don’t let it be in vain.”

14 <https://www.youtube.com/watch?v=sbGdMKpHDDE> (Attachment 3)

15 **4. Nature and Seriousness of the Danger to Any Person or the Community**

16 Defendant RITZHEIMER should be detained as a flight risk and as a danger to the
17 community. While the armed occupation of the MNWR continues, there remains a
18 substantial danger that the defendant will return to the MNWR or another federal facility
19 to assert his claimed authority over federal lands. His release poses substantial danger to
20 the citizens of Harney County and elsewhere. Defendant RITZHEIMER is a leading
21 member of the group and one of the first to occupy the MNWR. As noted in the
22 complaint, RITZHEIMER was present in Oregon in December 2015 and remained until
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1 January 24, 2016, when he left to visit his family in Arizona. His postings in social
2 media have demonstrated a willingness to engage in armed conflict whenever he
3 disagrees with government actions or with other religious beliefs. In a video posted on
4 Youtube on October 8, 2015, an angry RITZHEIMER stated he carries a gun with him
5 everywhere and encourages others to do so and states that if you threaten him or his
6 family, you better get protection. <https://www.youtube.com/watch?v=kg1q46oWnHoHe>
7
8 (Attachment 11)
9

10 RITZHEIMER has called for armed resistance to fight against oppressive
11 government by seeking arrests and indictments of law makers including the President. In
12 his latest anti-government conflict, he trespassed on federal land to lead an armed
13 resistance to fight against what he believed was an unconstitutional action by the United
14 States. His leadership role in the conspiracy as well as his repeated disregard for the type
15 of authority that would be attendant to pretrial supervision make him uniquely unsuitable
16 for release. RITZHEIMER, despite his visibility, lacks ties to the District of Oregon.
17 This creates an inherent risk of flight. Moreover, his own statements demonstrate his
18 unwillingness to comply with the terms of pretrial supervision and his willingness to die
19 for his cause.
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23 CONCLUSION

24 For the foregoing reasons, the United States respectfully requests that
25 RITZHEIMER remained detained pending trial.
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1 Respectfully submitted this 2nd day of February, 2016.

2 JOHN S. LEONARDO
3 United States Attorney
4 District of Arizona

5 /s/ Lisa E. Jennis
6 LISA E. JENNIS
7 Assistant U.S. Attorney

8 Certificate of Service

9 I hereby certify that on this date, I electronically transmitted the attached document to the
10 Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of
11 Electronic Filing to the following CM/ECF registrant:

12 Elizabeth Kruschek
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